

FILED: February 6, 2023

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 23-1078 (L)  
(2:21-cv-00316)

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B.P.J., by her next friend and mother; HEATHER JACKSON

Plaintiffs - Appellants

v.

WEST VIRGINIA STATE BOARD OF EDUCATION; HARRISON COUNTY  
BOARD OF EDUCATION; WEST VIRGINIA SECONDARY SCHOOL  
ACTIVITIES COMMISSION; W. CLAYTON BURCH, in his official capacity as  
State Superintendent; DORA STUTLER, in her official capacity as Harrison  
County Superintendent

Defendants - Appellees

and

THE STATE OF WEST VIRGINIA; LAINEY ARMISTEAD

Intervenors - Appellees

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No. 23-1130  
(2:21-cv-00316)

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B.P.J., by her next friend and mother; HEATHER JACKSON

Plaintiffs - Appellees

v.

WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

Defendant - Appellant

and

WEST VIRGINIA STATE BOARD OF EDUCATION; HARRISON COUNTY BOARD OF EDUCATION; W. CLAYTON BURCH, in his official capacity as State Superintendent; DORA STUTLER, in her official capacity as Harrison County Superintendent

Defendants

THE STATE OF WEST VIRGINIA; LAINEY ARMISTEAD

Intervenors

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O R D E R

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The court consolidates Case No. 23-1078 (L) and Case No. 23-1130 as cross-appeals. The appellants in Case No. 23-1078 (L) shall be considered the appellants for purposes of the consolidated appeals and shall proceed first at briefing and at oral argument. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in the secondary case.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk